

REMARKS

Claims 28-29 and 31-34 were rejected. Claims 28-29 and 31 are amended. No new matter is added. Claims 28-29 and 31-34 are now pending. The above amendments and the following remarks are considered by Applicants to overcome each rejection raised by the Examiner and to place the application in condition for allowance.

Information Disclosure Statement

The Examiner stated that Applicant's Information Disclosure Statement ("IDS") incorrectly lists U.S. Pat. No. 5,445,159. Applicants enclose herewith a supplemental IDS correcting the typographical error. Accordingly, Applicants respectfully submit that the IDS is now in proper form.

Drawings

The Examiner objected that the drawings fail to show every feature of the invention. Applicants have amended the drawings to include reference numbers identifying each of the features in question. Accordingly, Applicants respectfully request withdrawal of the objection.

Double Patenting

The Examiner provisionally rejected claims 28-29 and 31-34 on the ground of nonstatutory double patenting over (1) claims 23 and 26-30 of copending Application No. 10/587,367 and (2) claims 44 and 52 of copending Application No. 10/587,352. Applicants respectfully traverse the rejection.

As indicated above, independent claims 28 and 31 are herein amended to add the following limitation: "said free end of said holding elements being further provided with a second inclined surface for slam action" The cited claims do not include such a second inclined surface. By this amendment, the claims of the pending application are patentably distinct from the claims of the cited applications. Accordingly, Applicants respectfully request withdrawal of the rejection.

Rejection of claims 28-29 and 31-34 pursuant to 35 U.S.C. § 112, first paragraph

The Examiner rejected claims 28-29 and 31-34 pursuant to 35 U.S.C. § 112, first

paragraph, as failing to comply with the enablement requirement. As indicated above, Applicants have amended the drawings to clarify the elements of the invention. Figure 3 shows holding elements 36, 136 being slides arranged so as to be displaceable in cylinder 54 that is parallel to the plane of thin wall 16 and is rectangular in cross section. Figure 3 also shows slides 56 held against pressure spring force 44 by a hook arrangement 46, 48 locking between the slides 56 or in the cylinder 54. Figures 8A and 8B show cylinder 354 held against pressure spring force 344 by a pin arrangement 92 arranged between the slides 336. Figure 31A and 31B show screws 27 in head part 324 and how screws 27 determine the extent of movement of holding elements 1136. Accordingly, the application enables one of ordinary skill in the art to make and use the invention, and therefore Applicants respectfully request removal of the enablement rejection.

Rejection of claims 28-29 and 31-34 pursuant to 35 U.S.C. § 112, second paragraph

The Examiner rejected claims 28-29 and 31-34 pursuant to 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have amended the claims as required and therefore respectfully request withdrawal of the rejection.

Rejection of claims 28-29, 31 and 34 pursuant to 35 U.S.C. § 102(b)

The Examiner rejected claims 28-29, 31 and 34 pursuant to 35 U.S.C. § 102(b) as being anticipated by Vickers (U.S. Pat. No. 6,145,352). Applicants respectfully traverse the rejection.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Vickers describes a slam latch but does not disclose the following limitation of independent claims 28 and 31:

holding elements which project from the body part and are flexible in direction of the holding elements' outer surfaces, a free end of said holding elements being provided with an inclined surface for supporting the body part without play on the rim or edge of the opening of the other, inner side of the thin wall;

Rather, Vickers' holding element has a surface being inclined for displacing the holding element to allow same to pass the rim of the opening. In the case of play developing between the inclined surface and the rim, such play is not automatically absorbed. The inclined surface of Vickers

only works for slam action. The claimed invention addresses slam action by providing a second inclined surface 61. (*See Figure 3.*) The invention's first inclined surface 38 of the holding element is for supporting the body part. (*Id.*) Vickers also differs from the claimed invention because the surface of Vickers' holding element 110 and 150 for supporting the body part is not inclined after mounting but parallel to the thin wall 250.

For these reasons, Vickers does not disclose each element of independent claims 28 or 31, or dependent claims 29 and 34. Accordingly, Applicants respectfully request withdrawal of the anticipation rejections.

Rejection of claims 32-33 pursuant to 35 U.S.C. § 103

The Examiner rejected claims 32-33 pursuant to 35 U.S.C. § 103 as being unpatentable over Vickers, as applied to claim 31, and further in view of Anderson (U.S. Pat. No. 5,251,467). Claims 32-33 depend from independent claim 31. As claim 31 is allowable, so must be claims 32-33. Accordingly, Applicants respectfully request withdrawal of the obviousness rejections.

An early action on the merits of these claims is respectfully requested.

Respectfully submitted,

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